

9IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOSEPH JUAN BUTTERCASE,	)	8:18CV131
	)	
Petitioner,	)	
	)	
v.	)	ORDER
	)	
SCOTT R. FRAKES, Director,	)	
Nebraska Department of Correctional	)	
Services,	)	
	)	
Respondent.	)	
	)	

---

After considering the Respondent's response,

IT IS ORDERED that the Motion to Stay (Filing no. 73) is granted in part and denied in part. This matter is stayed until the Nebraska Supreme Court resolves *State v. Buttercase*, S-19-0384. Counsel for Respondent shall promptly advise the undersigned when that matter is resolved and, at that time, advise the undersigned as to whether a new progression order should be issued.

DATED this 19<sup>th</sup> day of November, 2019.

BY THE COURT:

s/ *Richard G. Kopf*  
Senior United States District Judge